

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
THE UNITED STATES <i>vs.</i> Roberto Tijero-Cardenas	<i>For U. S.:</i> Ben Baker <i>For Defendant:</i> H Ray Wilburn(Appt.) Beacon Bldg., Tulsa

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 1-31-71	Clerk					
J.S. 3 mailed 1-31-71	Marshal					
Violation Possession of Counterfeit Alien Reg. Card.	Docket fee					
Title 18						
Sec. 1546						

DATE	PROCEEDINGS
1-27-71	<p>Defendant present in person and represented. Court appt. Interpreter Ray Wilburn present in person. Defendant advised of charge. Defendant waives indictment, waiver signed, approved and filed in open court. Information filed in open court, def. arraigned and enters plea of GUILTY, and is adjudged GUILTY as charged. Def's request for immediate sentence granted.</p> <p align="center">Judgment and Sentence- Roberto Tijero Cardenas (Age 28)</p> <p>It is adjudged that imposition of sentence is hereby suspended and the defendant is placed on probation for a period of Six (6) months from this date, and the special conditions of probation are: that the defendant be transported by the USM to Miami, Okla. to be turned back to the custody of the Immigration Officer, U.S. Border Patrol to be returned to his home in Mexico. (AEB-J)h</p>
1-27-71	Order of Probation filed and entered. (AEB-J)h
1-27-71	Two c.c. delivered to Prob. Officer, 1 c.c. to defendant. h
2-2-71	Return on J&Order of Probation, filed. Executed by taking deft. to Miami, Okla. & turning him over to U.S. Immigration Officer, U.S. (over)

DATE	PROCEEDINGS
	Border Patrol on 1-28-71. m

UNITED STATES COMMISSIONER

NORTHERN DISTRICT OF OKLAHOMA

71-CR-25

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Charles P. Burns

(Name of commissioner)

Miami, Oklahoma,

(Address)

COMMISSIONER'S
DOCKET NO. 1 CASE NO. 369
THE UNITED STATES
vs.

Roberto Tijero-Cardenas

Complaint filed on 1-22-71, 19, by David E. Smith
Official title Immigration Officer, US Border Patrol
United States Code, Title 18, Section 1546, on 1-22-71
19, at Miami, Fla in the Miami
division of the Northern district of Oklahoma
as follows: knowingly possessing a document required
for entry into the United States, an alien registrat
ion stamp, and a passport, and did attempt to use
the document near Miami, Oklahoma on January 22, 1971
as evidence of lawful admission to the United States
by presenting it to an immigration officer, knowing
the document to have been counterfeited and falsely
made.

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date 1-22-71 Warrant/Summons for Roberto Tijero-Cardenas

to (name and title of officer)

Substance of return Executed by arrest of Roberto Tijero-Cardenas at Miami, Okla
on Jan 22, 1971. David E Smith, Immigration Officer.

Date Warrant/Summons for

to (name and title of officer)

Substance of return

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date 1-22-71 Arrested by David E. Smith
Immigration Officer on warrant of Charles P. Burns
U S Commr. (Name of issuing officer)
without warrant.

Appearances { for United States None (Name) (Address)
for accused None (Name) (Address)

Proceedings taken Complaint filed and warrant issued. Deft present in open court
without counsel. (Here insert with dates, when appropriate, a serial account of essential steps taken at hearing such as "complaint prepared"
American. Deft is a Mexican of foreign birth and did not speak English or
English to Mexican all questions and statements made by the U. S. Commissioner and
relayed to the Commissioner all answers given by the defendant in Mexican
in English. Deft advised of his rights and his right to be represented by coun-
sel at all stages of the proceedings. Deft executed a waiver of counsel and
waived his right to a preliminary hearing and thereupon he was bound over to the
U. S. District Court at Tulsa, Oklahoma, for further proceedings before the U. S.
District Judge. Bond fixed at \$2500.00 and in default of making his bond he
was committed to the custody of the U S Marshal for his delivery at Tulsa, Okla-
homa for further proceedings at that point.

Outcome Bound over to the U. S. District Court at Tulsa, Oklahoma.

Bail fixed 1-22-71, 19, Amount, \$2500.00 Bonded, 19, by cash
deposited by (name) Address
transmitted to clerk of district court, 19, [or] by surety
(name) Address
(name) Address Tulsa, Oklahoma, who
justified by affidavit dated, 19, [or] committed to
on 1-22-71, 19,

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness)_____
at request of (name of party)_____
Substance of return_____
_____, 19____, for (name of witness)_____
at request of (name of party)_____
Substance of return_____
_____, 19____, for (name of witness)_____
at request of (name of party)_____
Substance of return_____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date_____ Appearances for _____

{ United States (Name) _____
(Address) _____
Accused (Name) _____
(Address) _____

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing_____ names certified to United States Marshal for payment_____, 19____
Proceedings taken_____

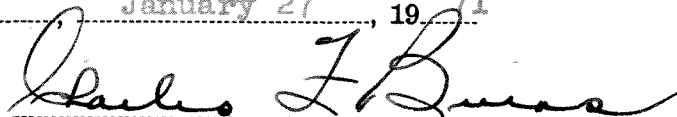
Outcome_____

Bail fixed_____, 19____ Amount, \$_____ Bonded_____, 19____, by cash
deposited by (name)_____ Address_____, 19____
transmitted to clerk of district court_____
[or] by surety (names)_____ Address_____
and_____ Address_____
who justified by affidavit_____, 19____ Committed to_____
on_____, 19____

Certified to be a correct transcript.

Made this 27 day of January, 19 71

Transmitted to Clerk of United States District Court for the Northern
district of Oklahoma January 27, 19 71



United States Commissioner.

UNITED STATES COMMISSIONER

71-CR-25

Northern DISTRICT OF Oklahoma

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Benjamin B. Ballenger 411 U. S. Court House, Tulsa, Okla.
(Name of commissioner) (Address)

COMMISSIONER'S
DOCKET NO. 2 CASE NO. 604
THE UNITED STATES
vs.

Roberto Tijero-Cardenas

Complaint filed on Jan. 22nd, 1971 by before Charles F. Burns
Official title Imm. Officer, USBP David E. Smith
United States Code, Title 18, Section 1546, on Jan. 22,
1971, at near Miami in the
division of the Northern district of Oklahoma
as follows: did possess counterfeit Alien Registra-
tion receipt card (Form 1-151 and did attempt
to use the document of evidence of lawful
admission into the U. S.

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date January 22, 1971 Warrant/Summons for Roberto Tijero-Cardenas
(Name of defendant)
to (name and title of officer) the United States Marshal or any other authorized officer:
Substance of return Roberto Tijero-Cardenas arrested by David E. Smith, Immigra-
tion Officer U. S. Border Patrol at Miami, Oklahoma on January 22, 1971.
Date Warrant/Summons for
(Name of defendant)
to (name and title of officer)
Substance of return

FILED

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date Jan. 22, 1971 Arrested by David E. Smith
on warrant of Charles F. Burns
JOHN H. FOL, Clerk
U. S. DISTRICT COURT
(Name of issuing officer)

Appearances { for United States Ben Baker
(Name) (Address)
for accused Ray Wilburn (Appointed)
(Name) (Address)

Proceedings taken January 26, 1971 Accused, Roberto Tijero-Cardenas, present in
person and not represented advised as to counsel, accused signed financial
statement and Ray Wilburn appointed to represent accused. Accused advised
if arrested without warrant, defendant informed of complaint and right to retain counsel and preliminary hearing, "preliminary examination waived."
hearing. Bond fixed in the sum of \$1,000.00. Accused failed to post bond
if that is the fact; any adjournments taken, etc.
and is committed, or re-committed under Final Commitment of Commr. Burns,
to be held for court action.

Outcome Bond fixed in the sum of \$1,000.00, committed to custody of U. S.
Marshal.

Bail fixed January 26th, 1971 Amount, \$1,000.00 Bonded
deposited by (name) Address
transmitted to clerk of district court, 19 [or] by surety
(name) Address
(name) Address, who
justified by affidavit dated, 19, [or] committed to
on, 19.

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date _____ Appearances for _____

United States

(Name)

(Address)

Accused

(Name)

(Address)

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing _____ names certified to United States Marshal for payment _____, 19____
Proceedings taken _____

Outcome _____

Bail fixed _____, 19____ Amount, \$ _____ Bonded _____, 19____, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 19____
[or] by surety (names) _____ Address _____
and _____ Address _____
who justified by affidavit _____, 19____ Committed to _____
on _____, 19____

Certified to be a correct transcript.

Made this 29th day of January, 19 71

Transmitted to Clerk of United States District Court for the Northern
district of Oklahoma, January 29th, 19 71.

Benjamin B. Ballenger

United States Commissioner.